

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Reorganized Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**DECLARATION OF STEVEN FLEMING IN SUPPORT OF REORGANIZED  
DEBTORS' EIGHTH OMNIBUS OBJECTION (SUBSTANTIVE) TO  
CERTAIN CLAIMS (NO LIABILITY, LATE FILED AND RECLASSIFY)**

I, Steven Fleming, hereby declare as follows:

1. I am a Principal of PwC US Business Advisory LLP ("PwC"), an experienced, leading, full-service financial services, consulting, and accounting firm with over 79 offices and more than 50,000 employees in the United States, which serves as the Reorganized Debtors' financial advisor pursuant to an order entered on September 20, 2023 [Docket No. 329].

2. I am the leader of PwC's US Business Recovery Services Practice, a position that I have held since 2016, after being a senior member in the group for seven years. Prior to these positions, I held a senior position in PwC's Transaction Services practice in Dubai, UAE, where I was responsible for expanding the firm's Corporate Finance and Valuation practices across the Middle East and North Africa. I have been employed by PwC (and its predecessor entities) since August 1998, and have held other senior positions, both domestically and abroad.

3. I received a Bachelor of Science in Finance from Lehigh University in 1998 and a Master of Business Administration from Columbia Business School in 2004. I am a Certified Insolvency and Restructuring Advisor (CIRA) and hold a Certification in Distressed Business

<sup>1</sup> A complete list of each of the Reorganized Debtors in these Chapter 11 Cases may be obtained on the website of the Reorganized Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Reorganized Debtor Amyris Inc.'s principal place of business and the Reorganized Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

Valuation (CDBV), both of which are designations issued by the Association of Insolvency and Restructuring Advisors. I am also a Certified Turnaround Professional (CTP), a designation issued by the Turnaround Management Association. During the course of my career, I have served as a chief restructuring officer and have testified in numerous chapter 11 cases on matters relating to financing, valuation, cash forecasting, liquidation analyses, and sale processes. I have been qualified as an expert witness with respect to valuation, cash forecasting, and section 363 sale processes.

4. I submit this declaration (the “Declaration”) in support of the *Reorganized Debtors’ Eighth Omnibus Objection (Substantive) to Certain Claims (No Liability and Late Filed)* (the “Claims Objection”) and the claims objected to therein, (the “Claims”),<sup>2</sup> filed contemporaneously herewith.

5. Except as otherwise indicated, the statements in this Declaration are based on:

- (a) my personal knowledge of the Reorganized Debtors’ operations, financing arrangements, and business affairs; (b) the books and records of the Reorganized Debtors that reflect the amounts owed to their creditors as of the Petition Date, including the Claims Register, and the Schedules;
- (c) my review of the Claims Objection; (d) information provided to me by, or discussions with, professionals retained by the Reorganized Debtors; (e) information provided to me by, or discussions with, members of the Reorganized Debtors’ management team, the Reorganized Debtors’ other employees, or the Reorganized Debtors’ other advisors; and (f) my general experience and knowledge. As to matters regarding state and federal law, including bankruptcy law, I have relied on the advice of counsel.

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<sup>2</sup> A capitalized terms used but not otherwise defined herein shall have the meaning ascribed to it in the Claims Objection.

6. I am authorized to submit this Declaration in support of the Claims Objection.

If called upon to testify, I can and would testify competently as to the facts set forth herein.

**The Claims Objection**

7. In the ordinary course of business, the Reorganized Debtors maintain books and records that reflect, among other things, the nature and amount of the liabilities owed to their creditors. I, along with my team of professionals, have been reviewing, comparing, and reconciling the claims filed against the Reorganized Debtors (including any supporting documentation) with the Schedules and their books and records. This reconciliation process includes identifying particular categories of claims that may be subject to objection.

8. Time and resources have been expended in the Reorganized Debtors' ongoing efforts reviewing and reconciling the proofs of claim filed against the Reorganized Debtors in these chapter 11 cases.

9. In evaluating the Claims, I, or professionals acting at my direction, have reviewed the Reorganized Debtors' Schedules and applicable books and records, including the Claims Register and the Claims (as well any supporting documentation), and after consultation with members of the Amyris finance and accounting departments, have determined that (a) the Employee Claims set forth on Schedule 1 to the Proposed Order should be disallowed and expunged because the Reorganized Debtors' books and records reflect no liability thereon; (b) the Employee Claim set forth on Schedule 2 to the Proposed Order should be reclassified, subject to further objection, as a general unsecured claim because such Employee Claim was improperly filed (in part) as a priority claim; and (c) the Schedule 3 Claims set forth on Schedule 3 to the Proposed Order should be disallowed and expunged because the Reorganized Debtors' books and records reflect no liability thereon.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: November 26, 2024

/s/ Steven Fleming

Steven Fleming, Principal  
PwC US Business Advisory LLP